

## **CHAPTER 21. TRIAL JURY SERVICES**

### **21.1 Jury Commissioner Duties**

The court hereby delegates to the Jury Commissioner on a continuing basis and subject to further order of the court the court's authority granted pursuant to section 196 of the Code of Civil Procedure. Whenever the business of the courts shall require the attendance of a trial jury, the jury commissioner shall direct that a trial jury venire be drawn and summoned to attend before the court in such a number and at such a time as shall be appropriate for the conduct of the trials for which juries are required.

Eff. Jan. 1, 1999.

### **21.2 Jury Services**

Jury service, unless excused by law, is a responsibility of citizenship. It is the court's obligation to employ all necessary and appropriate means to assure that citizens fulfill this important civic function.

Eff. Jan. 1, 1999.

### **21.3 Court Policy**

The court recognizes that jury duty should not impose an undue hardship and in selecting prospective jurors the court guided by the following principles:

- a.** No class or category of persons should be automatically excluded from jury duty except as provided by law.
- b.** A statutory exemption from jury service should be granted only when the eligible person claims it.
- c.** Deferring jury service should be preferred to excusing a prospective juror for a temporary or marginal hardship.
- d.** Inconvenience to a prospective juror or an employer is not an adequate reason to be excused from jury duty, although it may be considered a ground for deferral.

Eff. Jan. 1, 1999.

## **21.4 Requests to be Excused**

All requests to be excused from jury service that are granted for undue hardship should be in writing from the prospective juror, reduced to writing, or placed on the court's records. The prospective juror should support the request with facts specifying the hardship and a statement why the circumstances constituting the undue hardship cannot be avoided by deferring the prospective juror's service.

Eff. Jan. 1, 1999.

## **21.5 Grounds Constituting Undue Hardship**

The policy adopted pursuant to rule 21.3 should specifically provide that an excuse on the ground of undue hardship may be granted for any of the following reasons:

- a. No reasonable available means of transportation.
- b. Excessive travel distance to the court.
- c. Extreme financial burden.
- d. Undue risk of material injury or destruction of property.
- e. Undue risk of mental or physical harm.
- f. The prospective juror's services are immediately needed for the protection of public health and safety.
- g. Personal obligations to provide essential care to others.

Eff. Jan. 1, 1999.

## **21.6 Prior Jury Service**

A prospective juror who has served on a grand or trial jury or was summoned and appeared for jury service in any state or federal court during the immediately preceding 12 months, or any longer period as the court determines appropriate, should be excused from service on request.

Eff. Jan. 1, 1999.

## **21.7 Failure to Appear for Jury Duty When Summoned**

A prospective juror who fails to appear for jury duty when summoned, or otherwise contact the court, shall be immediately resummoned and provided with a new appearance date. Any prospective trial juror who has been resummoned for service, and fails to attend upon the court as directed or to respond to the court or jury commissioner and to be excused from attendance, may be attached and compelled to attend; and following an order to show cause hearing, the court may find the prospective juror in contempt of court, punishable by fine, incarceration, or both, as otherwise provided by law.

Eff. Jan. 1, 1999.

## **21.8 Releasing Names and Addresses of Jurors**

The jury commissioner will release the names and addresses of prospective or trial jurors only upon authorization of the trial or presiding judge, and presentation of a signed court order releasing said information.

Eff. Jan. 1, 1999.

## **21.9 Records Compiled and Maintained**

All records and papers compiled or maintained by the jury commissioner in connection with the selection or service of a juror shall be preserved for three years after the list used in their selection is prepared or for any longer period ordered by the court or the jury commissioner.

Eff. Jan. 1, 1999.

## **21.10 Jurors for Sessions Held Outside the County Seat**

If a session of the superior court is held in a location other than the county seat, the names for the master jury lists and qualified jury lists to serve in that session may be selected from the area in which the session is held, provided that all qualified persons in the county have an equal opportunity to be considered for jury service.

Eff. Jan. 1, 1999.

(Page deliberately left blank)